

### REMARKS

Claims 1-48 are pending. Claims 26-31 are allowed, and claims 1, 32, and 33 are rejected under 35 U.S.C. 103(a). Claims 2-25 and 34-48 are deemed allowable, but are objected to as being dependent on a rejected claim.

Claims 2, 10, 12, 14, 19, 43 and 45 are amended to correct typographical errors. No new matter is added.

Regarding the rejections of claims 1, 32, and 33 under 35 U.S.C. 103(a), it is respectfully submitted that the cited references do not support a *prima facie* case of obviousness.

The primary error in the rejection is that the MPEP requirements for claim construction are not being applied by the Examiner. See MPEP Section 2111. In particular, the term "stripe" as used in claims 1 and 32 is defined in paragraph 0077 (page 16) as "one data slice of a wide cell."<sup>1</sup> Contrary to MPEP 2111, the Examiner did not apply this definition in comparing the claim to Van Dwyne. "Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim." Toro Co. v. White Consolidated Industries Inc., 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999) (as quoted in MPEP 2111, Sec. III.)

Van Dwyne does not disclose wide "striped" cells (where "striped" is defined as state above) nor a "transmitter that transmits ... wide striped cells in multiple stripes to a switching fabric," as set forth in claim 1, nor does Van Dwyne meet similar language in claim 32. In particular, Van Dwyne

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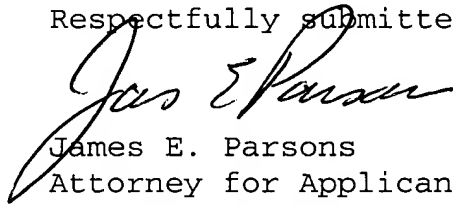
<sup>1</sup> The term "stripe" is exemplified in various figures, including Fig. 15A, which is discussed in paragraph 0122 beginning on page 31. Fig. 15A shows "wide striped cell 1500". Each stripe 1-5 of example wide cell 1500 is transmitted by the backplane interface adapter 302 (Fig. 3A) to a different one of the five cross point switches 202A-202E of Fig. 2, e.g., "each cross point 202A-202E then receives one stripe or 1/5 of the data passing through switch fabric 102 [paragraph 0080]." This transmitting is further explained in paragraph 0131.

merely discloses SERDES circuits 12a-12d and 32a-32n, which each output deserialized bits to a crossbar switch 25.

Nonetheless, to avoid a further rejection, claims 1 and 32 have been amended to include the term "encoded," which is part of some of the claims deemed allowable.

Please direct questions or comments to the undersigned at (408) 207-1323. Please note that this is a new phone number.

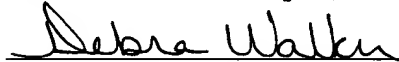
Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 5, 2006



Signature: Debra Walker